

REFERENCE TITLE: telephone records; technical correction

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
Second Regular Session  
2008

# HB 2446

Introduced by  
Representative Pearce

AN ACT

AMENDING SECTION 44-1376, ARIZONA REVISED STATUTES; RELATING TO TELEPHONE,  
UTILITY AND COMMUNICATION SERVICE RECORDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 44-1376, Arizona Revised Statutes, is amended to  
3 read:

4 **44-1376. Definitions**

5 In this article, unless the context otherwise requires:

6 1. "Communication service record" includes subscriber information,  
7 including name, billing or installation address, length of service, payment  
8 method, telephone number, electronic account identification and associated  
9 screen names, toll bills or access logs, records of the path of an electronic  
10 communication between the point of origin and the point of delivery and the  
11 nature of the communication service provided, such as caller identification,  
12 automatic number identification, voice mail, electronic mail, paging or other  
13 service features. Communication service records do not include the content  
14 of any stored oral, wire or electronic communication or a telephone record.

15 2. "Procure" means to obtain by any means, including electronically,  
16 in writing or in oral form, with or without consideration.

17 3. "Public utility" includes public service corporations, municipally  
18 owned systems and districts subject to article XIII, section 7, Constitution  
19 of Arizona, AND power districts, electrical districts, agricultural  
20 improvement districts or irrigation and water conservation districts  
21 established pursuant to title 48, chapter 11, 12, 17 or 19.

22 4. "Public utility record" includes customer information, including  
23 name, billing or installation address, length of service, payment method or  
24 any other personal identifying information.

25 5. "Telephone" means any device that is used by a person for voice  
26 communications in connection with the services of a telephone company whether  
27 the voice communications are transmitted in analog, data or any other form.

28 6. "Telephone company" means any person that provides commercial  
29 telephone services to a customer, irrespective of the communications  
30 technology that is used to provide the service, including:

31 (a) Traditional wire line or cable telephone service.

32 (b) Cellular, broadband personal communication systems or other  
33 wireless telephone service.

34 (c) Microwave, satellite or other terrestrial telephone service.

35 (d) Voice over internet telephone service.

36 7. "Telephone record" means information that is:

37 (a) Retained by a telephone company and that relates to the telephone  
38 number dialed by the customer or the incoming number of the call directed to  
39 a customer or other data related to such calls typically contained on a  
40 customer telephone bill, including the time the call started and ended, the  
41 duration of the call, the time of day the call was made, any charges applied  
42 and any information that indicates the location from which or to which the  
43 call was made.

1           (b) Made available to a telephone company by a customer solely by  
2 virtue of the relationship between the telephone company and the  
3 customer. Telephone record does not include any information collected and  
4 retained by or on behalf of customers using caller identification or similar  
5 technology.